

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA,

Case No. 3:10-CR-229-BR-1

Plaintiff,

ORDER

v.

JOSH HALL,

Defendant.

Based upon the uncontradicted facts set forth in the February 23, 2012, Declaration of Counsel in Support of Motion to Continue Trial Date, the Court has evaluated the need for the requested continuance for a delay of approximately 15 days, and finds:

Defendant is charged in a six-count Indictment with three counts of Bank Fraud in violation of 18 USC § 2 and 1344; and three counts of False Statement to a Bank in violation of 18 USC § 2 and 1014. He was released by Order Setting Conditions of Release on June 16, 2010. This is defendant's sixth request for a continuance, but third request from new counsel.

Defendant seeks the continuance for the purposes of scheduling a change of plea for March 14, 2012 and requiring additional time to complete the necessary paperwork. It is necessary for these matters to be addressed before the case can be resolved by trial or otherwise.

The Government does not object to the requested continuance.

The Court finds that 15 days is a reasonable time period to accomplish all of the necessary purposes identified in the motion and supporting documentation. Pursuant to 18 U.S.C. §3161(h)(7)(A), the Court also finds the ends of justice outweigh the best interests of the public and the defendant in a speedy trial because the failure to grant the requested continuance is likely to result in a miscarriage of justice (§3161(h)(7)(B)(i)) and likely would deny Defendant's counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence (§3161(h)(7)(B)(iv)).

Accordingly, the Court **GRANTS** the Motion to Continue Trial Date and **SETS** a Change of Plea Hearing for March 14, 2012 at 9:00 AM.. The Court finds the period of time between 02/28/2012 and 03/14/2012 is excludable for purposes of the Speedy Trial Act. No more continuances will be granted absent a showing of extraordinary circumstances.

IT IS SO ORDERED.

Dated: February 27, 2012



ANNA J. BROWN

United States District Judge